

Amir J. Goldstein, Esq. (CA Bar No. 255620)
Attorney for Plaintiff
5455 Wilshire Boulevard, Suite 1812
Los Angeles, CA 90036
Tel 323.937.0400
Fax 866.288.9194
ajg@consumercounselgroup.com

FILED

12 JUN -2 AM 10:10

CLERK U.S. DISTRICT COURT
CENTRAL DIST. OF CALIF.
LOS ANGELES

BY: _____

UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA

CHARMANE BENSON,

Plaintiff,

v.

INTERNATIONAL SYSTEMS
DEVELOPMENT, LLC dba ISD GROUP
and DOES 1 through 10, inclusive,

Defendant.

CASE NO.:

CV12-04791 (AB(JLGx)

COMPLAINT FOR DAMAGES

Plaintiff, by and through her attorney, Amir J. Goldstein, Esq., as and for her complaint against the Defendant INTERNATIONAL SYSTEMS DEVELOPMENT, LLC dba ISD GROUP alleges as follows:

INTRODUCTION

1. This is an action for damages brought by an individual consumer for Defendant's violations of the Fair Debt Collection Practices Act, 15 U.S.C. § 1692 *et seq.* ("FDCPA") which prohibits debt collectors from engaging in abusive, deceptive and unfair practices and the Telephone Consumer Protection Act of 1991, 47 U.S.C. §227 *et seq.* ("TCPA").

PARTIES

2. Plaintiff is a natural person residing in Los Angeles County, California.
3. Upon information and belief, Defendant International Systems Development, LLC d/b/a ISD Group is a debt collector as defined pursuant to 15 U.S.C. § 1692a (6) with its principal place of business in Amherst, NY.

JURISDICTION

4. This Court has jurisdiction pursuant to 15 U.S.C. § 1692k (FDCPA) and 28 U.S.C. § 1331 and venue is proper in this district pursuant to 28 U.S.C. § 1391 et seq., as the Defendant conducts business, the nature of which subjects the corporation to jurisdiction in this district and the transactions that give rise to this action occurred, in substantial part, in this district.

AS AND FOR A FIRST CAUSE OF ACTION

5. Plaintiff realleges paragraphs 1 through 4 as if fully restated herein.
6. That a personal debt was allegedly incurred by the Plaintiff from one "**Ace Cash**."
7. That at a time unknown to the Plaintiff herein, the aforementioned debt was referred and/or assigned to the Defendant for collection.
8. That on or about March 2012 through on or about April 2012, Defendant harassed Plaintiff and made several abusive and deceptive phone calls to Plaintiff in an attempt to collect the aforementioned debt.

Count One

9. Plaintiff realleges paragraphs 1 through 8 as if fully restated herein.
10. That on or about March 12, 2012, Defendant's agent, one "**Amber**" contacted Plaintiff at her place of employment in an attempt to collect a debt.

1 11. That during said communication, Defendant's agent deceptively informed Plaintiff that
2 she was being contacted with regard to "**fraudulent checks**" that Plaintiff allegedly
3 wrote to "**defraud a financial institution.**"

4 12. That Plaintiff denied any wrongdoing.

5 13. That Defendant warned Plaintiff that **legal documents** would be brought to Plaintiff's
6 place of employment.

7 14. That Plaintiff requested that Defendant cease making phone calls to Plaintiff's place of
8 employment.

9 15. That Plaintiff asked Defendant's agent for a fax number and/or address so that Plaintiff
10 could send Defendant a written request to cease all communication to Plaintiff's place of
11 employment.

12 16. That Defendant's agent refused to provide Plaintiff with any contact information.

13 17. That when Plaintiff asked Defendant if they could resume their conversation in an hour to
14 allow Plaintiff to determine the subject of Defendant's phone call, Defendant falsely
15 replied that it would be too late.

16 18. That despite Defendant's prior representations, Defendant's agent called Plaintiff one
17 hour later but left no voice message.

18 19. That notwithstanding Plaintiff's request for Defendant to cease all calls to her place of
19 employment, Defendant continued to call Plaintiff at her workplace.

20 20. That the Defendant's communications contain language demonstrating false statements
21 and deceptive representations, and misleading and overshadowing language which
22 contradicts the consumer's rights and are intended to circumvent the law, while
23 compelling payment by means of duress and coercion.

24 21. That Defendant's agent did not meaningfully identify herself as a representative of a debt
25 collection agency, nor did she make the proper disclosures as required by law.

26
27 *Count Two*

28 22. Plaintiff realleges paragraphs 1 through 21 as if fully restated herein.

1 23. That on or about March 13, 2012 at approximately 8:35 AM, Defendant called Plaintiff
2 and left Plaintiff a voice message in an attempt to collect the aforementioned debt.

3 24. That in said voice message, Defendant's agent stated in pertinent part,

4 "Charmane Benson, this is Amber from the ISD Group. I spoke to
5 you yesterday regarding your ACE cash claim. You were
6 supposed to call me back. I have not heard from you. I can't get a
7 hold of you. **I will be sending your claim out for arbitration**
8 **today if I do not get an immediate response from you or your**
9 **legal representative.** You can call me at 877.410.0773 ext 302."
(emphasis added)

10 25. That shortly thereafter, on or about March 13, 2012 at approximately 8:45 AM,
11 Defendant's agent "**Amber**" spoke with Plaintiff in an attempt to collect the
12 aforementioned debt.

13 26. That during said communication, Plaintiff informed Defendant that she did not receive
14 any letters, notices or statements from Defendant to which Defendant's agent replied that
15 **Defendant did not send out notices.**

16 27. That Defendant informed Plaintiff that the debt was over \$500.00 and included **fees to**
17 **stop court proceedings.**

18 28. That Defendant in an attempt to pressure and coerce payment from Plaintiff informed her
19 that the debt needed to be paid in full.

20 29. That Plaintiff disputed the debt.

21 30. That Defendant falsely represented the character, amount and/or legal status of the debt.

22 31. That Defendant's communications contain language demonstrating false statements,
23 deceptive representations and threats to take legal action that cannot be taken or are not
24 intended to be taken in order to unduly pressure, scare, abuse and intimidate Plaintiff.

25 32. That Defendant's communications contain misleading and overshadowing language
26 which contradicts the consumer's rights and are intended to circumvent the law.

27 33. That Defendant's agent did not meaningfully identify herself as a representative of a debt
28 collection agency, nor did she make the proper disclosures as required by law.

Count Three

34. Plaintiff realleges paragraphs 1 through 33 as if fully restated herein.

35. That on or about March 2012 through April 2012, Defendant continued to harass and abuse Plaintiff on several occasions by calling her cellular phone.

36. That on or about March 29, 2012 Defendant called Plaintiff's cellular phone number and left the following voice message:

"Charmane Benson, this is Amber calling from the ISD Group. Your ACE cash claim has been forwarded into my office for **final review**. I do have to sign off on your paperwork today for **arbitration** but we do still have a settlement offer available to you if you'd like to get this resolved voluntarily. **You have one opportunity to contact me immediately** at 1.877.410.0773. My direct extension is 302. **If I do not hear from you, I will be marking your claim as a direct refusal.** Thank you." (emphasis added)

37. That on or about April 2, 2012 Defendant called Plaintiff's cellular phone number and left the following voice message:

"This message is for a Charmane Benson. This is Amber calling from the ISD Group. Charmane, your ACE cash claim has been forwarded into my office for a **final review**. Before I do sign off on your paperwork for **arbitration**, I would like to discuss the options available to you to get this resolved voluntarily. If you would like to discuss those options, **you have one opportunity to contact me immediately** at 877.410.0773 and my direct extension is 302. Thank you." (emphasis added)

38. That on or about April 17, 2012, Defendant called Plaintiff's cellular phone number and left the following voice message:

"This message is for Charmane Benson. My name is Amber. I'm calling from the ISD Group. Charmane, your ACE cash claim has been forwarded into my office for a **final review**. Before I do sign off on your paperwork here for **arbitration**, I would like to discuss some options available to you to get this resolved voluntarily. If you would like to discuss those options, **you have one**

1 **opportunity to contact me immediately** at 1.877.410.0773. My
2 direct extension is 302.” (emphasis added)

3 39. That on or about March 2012 through April 2012, Defendant called Plaintiff’s cellular
4 phone several times where the Defendant’s agent, **Amber**, failed to disclose that the
5 phone call was from a debt collector and instructed the Plaintiff to call **(877) 410-0773**, a
6 number belonging to Defendant.

7 40. That Defendant left deceptive messages which lacked disclosures creating a false
8 impression that the phone call was not an attempt to collect a debt.

9 41. That the Defendant’s communications contain language demonstrating false statements
10 and deceptive representations, and misleading and overshadowing language which
11 contradicts the consumer’s rights and are intended to circumvent the law, while
12 compelling payment by means of duress and coercion.

13 42. That Defendant’s communications contain false threats to take imminent legal action that
14 cannot be taken or are not intended to be taken in order to unduly pressure, scare, abuse
15 and intimidate Plaintiff.

16 43. That Defendant, in an attempt to collect a debt, engages in a pattern or practice of making
17 representations which are false, harassing, confusing, misleading, deceptive and/or unfair.

18 44. That as a result of Defendant’s conduct, Plaintiff suffered actual damages, including, but
19 not limited to: extreme embarrassment, humiliation, shame, high blood pressure, stress,
20 anxiety, aggravation and sleepless nights.

21 45. That Defendant’s conduct violates 15 U.S.C. 1692 et seq., including but not limited to
22 subsections (c), (d), (e), (f) and (g) in that the communications to the Plaintiff by the
23 Defendant were deceptive, misleading and done in furtherance of harassing the Plaintiff
24 to coerce payment of a disputed debt, under duress and harassment. More specifically:

- 25 a. Defendant’s has violated 1692c(a)(3) because Defendant contacted the Plaintiff’s
26 place of employment where the Defendant knew that Plaintiff was not to receive
27 such communication.

- b. Defendant has violated 1692d(5) by causing the Plaintiff's phone to ring repeatedly and continuously with intent to annoy, abuse or harass the Plaintiff at the called number;
- c. Defendant has violated 1692d(6) by placing several phone calls to Plaintiff without giving meaningful disclosure of the caller's identity;
- d. Defendant has violated 1692e(2) by falsely representing the character, amount, or legal status of the alleged debt;
- e. Defendant has violated 1692e(5) by threatening to take legal action that cannot be legally taken or is not intended to be taken;
- f. Defendant has violated 1692e(10) by using false representations and/or deceptive means in an attempt to collect the alleged debt;
- g. Defendant has violated 1692e(11) by failing to disclose in communications that the communication is from a debt collector;
- h. Defendant has violated 1692f by using unfair or unconscionable means to collect the alleged debt;
- i. Defendant has violated 1692g by using misleading and overshadowing language in an attempt to collect the alleged debt.

46. That as per 15 U.S.C. § 1692 et seq. and as a result of the above violation, Defendant is liable to the Plaintiff for statutory damages in an amount to be determined at the time of trial but not less than \$1,000.00 per violation, plus actual damages and treble damages, costs and attorney's fees.

AS AND FOR A SECOND CAUSE OF ACTION

47. Plaintiff realleges paragraphs 1 through 46 as if fully restated herein.

48. The Rosenthal Fair Debt Collection Practices Act (Rosenthal Act), California Civil Code § 1788, et seq., prohibits unfair and deceptive acts and practices in the collection of consumer debts.

1 49. By its acts and practices as hereinabove described, the Defendant has violated the
2 Rosenthal Act as follows, without limitation:

- 3 a. By placing telephone calls without disclosure of the caller's identity, Defendant
4 has violated §1788.11(b);
- 5 b. By causing a telephone to ring repeatedly or continuously to annoy the person
6 called and by communicating, by telephone or in person, with the debtor with
7 such frequency as to be unreasonable and to constitute an harassment to the
8 debtor under the circumstances, Defendant has violated §§ 1788.11(d) & (e);
- 9 c. In failing to inform consumers its true identity, Defendant has violated
10 §1788.13(a), which prohibits communications with the debtor other than in the
11 name of the debt collector or the person on whose behalf the debt collector is
12 acting and §1788.13(i), which prohibits the false representation of the true nature
13 of the business or services being rendered by the debt collector;
- 14 d. By making the false representation that the consumer debt may be increased by
15 the addition of attorney's fees, investigation fees, service fees, finance charges, or
16 other charges if, in fact, such fees or charges may not legally be added to the
17 existing obligation, Defendant has violated §1788.13(e);
- 18 e. By making the false representation that a legal proceeding has been, is about to
19 be, or will be instituted unless payment of a consumer debt is made, Defendant
20 has violated §1788.13(j);
- 21 f. By failing to include certain debt collection notices and disclosures required by
22 law.

23 50. Pursuant to § 1788.30 of the Rosenthal Act, Plaintiff is entitled to recover her actual
24 damages sustained as a result of the Defendant's violations of the Rosenthal Act. Such
25 damages include, without limitation, statutory damages, any actual damages sustained,
26 other resulting monetary losses and damages, and emotional distress suffered by Plaintiff,
27 which damages are in an amount to be proven at trial.
28

1 51. In addition, because the Defendant's violations of the Rosenthal Act were committed
2 willingly and knowingly, Plaintiff is entitled to recover, in addition to her actual
3 damages, penalties of at least \$1,000 per violation as provided for in the Act.

4 52. Pursuant to § 1788.30(c) Rosenthal Act, Plaintiff is entitled to recover all attorneys' fees,
5 costs and expenses incurred in the bringing of this action.

6
7 **AS AND FOR A THIRD CAUSE OF ACTION**

8 53. Plaintiff realleges paragraphs 1 through 52 as if fully restated herein.

9 54. That Defendant made several dunning telephone calls to Plaintiff's cellular phone using
10 an automated telephone dialing system and/or a pre-recorded or artificial voice.

11 55. That Plaintiff did not expressly consent to Defendant's placement of telephone calls to
12 Plaintiff's cellular telephone by the use of an automatic telephone dialing system or a pre-
13 recorded or artificial voice prior to Defendant's placement of the calls.

14 56. That none of Defendant's telephone calls placed to Plaintiff's cellular phone were for
15 "emergency purposes" as specified in 47 U.S.C. §227(b)(1)(A).

16 57. That Plaintiff was charged for the phone calls made by Defendant to her cellular phone.

17 58. That Defendant willfully or knowingly violated the TCPA, by placing non-emergency
18 telephone calls to Plaintiff's cellular telephone using an automatic telephone dialing
19 system or pre-recorded or artificial voice without Plaintiff's prior express consent in
20 violation of 47 U.S.C. §227(b)(1)(A)(iii).

21 59. That as a result of Defendant's violations of the TCPA, Plaintiff suffered stress,
22 aggravation and emotional distress.

23 60. That as a result of Defendant's violations of the TCPA, Plaintiff is entitled to \$500.00 for
24 each artificial and/or prerecorded telephone call pursuant to 47 U.S.C. §227(b)(3)(B).

25 61. That as a result of Defendant's violations of the TCPA, Plaintiff is entitled to a maximum
26 of treble damages pursuant to 47 U.S.C. §227(b)(3).

1 62. That as per 47 U.S.C. §227 et seq. and as a result of the above violations, the Defendant
2 is liable to the Plaintiff for actual damages and statutory damages in an amount to be
3 determined at the time of trial.

4
5 **WHEREFORE**, Plaintiff respectfully prays that judgment be entered against Defendant in the
6 amount of:

7 (a) Statutory damages and actual damages pursuant to 15 U.S.C. § 1692k in an
8 amount to be determined at the time of trial on behalf of the class on the first cause of action.

9 (b) Statutory damages and actual damages pursuant to Civil Code §1788.30 *et seq.*, as
10 to the second cause of action.

11 (c) Statutory damages and actual damages pursuant to 47 U.S.C. §227 in an amount
12 to be determined at the time of trial on the third cause of action.

13 (d) Costs and reasonable attorney's fees pursuant to 15 U.S.C. § 1692k and CA Civil
14 Code §1788.30, *et seq.*

15 (e) For such other and further relief as may be just and proper.

16 (f) Plaintiff requests trial by jury on all issues so triable.

17
18 Dated: May 23, 2012

Amir J. Goldstein, Esq.

19
20
21 
22 Amir J. Goldstein, Esq.
23 **Attorney for Plaintiff**
24 5455 Wilshire Boulevard., Suite 1812
25 Los Angeles, CA 90036
26 Tel 323.937.0400
27 Fax 866.288.9194
28

**UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA**

NOTICE OF ASSIGNMENT TO UNITED STATES MAGISTRATE JUDGE FOR DISCOVERY

This case has been assigned to District Judge Christina A. Snyder and the assigned discovery Magistrate Judge is Jay C. Gandhi.

The case number on all documents filed with the Court should read as follows:

CV12- 4791 CAS (JCGx)

Pursuant to General Order 05-07 of the United States District Court for the Central District of California, the Magistrate Judge has been designated to hear discovery related motions.

All discovery related motions should be noticed on the calendar of the Magistrate Judge

=====

NOTICE TO COUNSEL

A copy of this notice must be served with the summons and complaint on all defendants (if a removal action is filed, a copy of this notice must be served on all plaintiffs).

Subsequent documents must be filed at the following location:

☒ **Western Division**
312 N. Spring St., Rm. G-8
Los Angeles, CA 90012

☐ **Southern Division**
411 West Fourth St., Rm. 1-053
Santa Ana, CA 92701-4516

☐ **Eastern Division**
3470 Twelfth St., Rm. 134
Riverside, CA 92501

Failure to file at the proper location will result in your documents being returned to you.

Name & Address:

Amir J. Goldstein, Esq.
5455 Wilshire Boulevard, Suite 1812
Los Angeles, CA 90036

UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA

CHARMANE BENSON,

CASE NUMBER

PLAINTIFF(S)

CV12-04791 (AS(JLGx))

v.

INTERNATIONAL SYSTEMS DEVELOPMENT,
LLC dba ISD GROUP and DOES 1 through 10,
inclusive,

DEFENDANT(S).

SUMMONS

TO: DEFENDANT(S):

A lawsuit has been filed against you.

Within 21 days after service of this summons on you (not counting the day you received it), you must serve on the plaintiff an answer to the attached ☒ complaint ☐ _____ amended complaint ☐ counterclaim ☐ cross-claim or a motion under Rule 12 of the Federal Rules of Civil Procedure. The answer or motion must be served on the plaintiff's attorney, Amir J. Goldstein, whose address is 5455 Wilshire Blvd, Suite 1812, Los Angeles, CA 90036. If you fail to do so, judgment by default will be entered against you for the relief demanded in the complaint. You also must file your answer or motion with the court.

JUN - 1 2012

Clerk, U.S. District Court

Dated: _____

By: _____

JULIE PRADO

Deputy Clerk

(Seal of the Court)

SEAL

[Use 60 days if the defendant is the United States or a United States agency, or is an officer or employee of the United States. Allowed 60 days by Rule 12(a)(3)].

UNITED STATES DISTRICT COURT, CENTRAL DISTRICT OF CALIFORNIA
CIVIL COVER SHEET

I (a) PLAINTIFFS (Check box if you are representing yourself <input type="checkbox"/>) CHARMANE BENSON	DEFENDANTS INTERNATIONAL SYSTEMS DEVELOPMENT, LLC dba ISD GROUP and DOES 1 through 10, inclusive,
(b) Attorneys (Firm Name, Address and Telephone Number. If you are representing yourself, provide same.) Amir J. Goldstein, Esq. 5455 Wilshire Blvd, Suite 1812 Los Angeles, CA 90036 Tel. 323.937.0400	Attorneys (If Known)

II. BASIS OF JURISDICTION (Place an X in one box only.) <input type="checkbox"/> 1 U.S. Government Plaintiff <input checked="" type="checkbox"/> 3 Federal Question (U.S. Government Not a Party) <input type="checkbox"/> 2 U.S. Government Defendant <input type="checkbox"/> 4 Diversity (Indicate Citizenship of Parties in Item III)	III. CITIZENSHIP OF PRINCIPAL PARTIES - For Diversity Cases Only (Place an X in one box for plaintiff and one for defendant.) <table style="width:100%; border: none;"> <tr> <td style="width:33%;"></td> <td style="width:10%; text-align: center;">PTF</td> <td style="width:10%; text-align: center;">DEF</td> <td style="width:47%;"></td> <td style="width:10%; text-align: center;">PTF</td> <td style="width:10%; text-align: center;">DEF</td> </tr> <tr> <td>Citizen of This State</td> <td align="center"><input type="checkbox"/> 1</td> <td align="center"><input type="checkbox"/> 1</td> <td>Incorporated or Principal Place of Business in this State</td> <td align="center"><input type="checkbox"/> 4</td> <td align="center"><input type="checkbox"/> 4</td> </tr> <tr> <td>Citizen of Another State</td> <td align="center"><input type="checkbox"/> 2</td> <td align="center"><input type="checkbox"/> 2</td> <td>Incorporated and Principal Place of Business in Another State</td> <td align="center"><input type="checkbox"/> 5</td> <td align="center"><input type="checkbox"/> 5</td> </tr> <tr> <td>Citizen or Subject of a Foreign Country</td> <td align="center"><input type="checkbox"/> 3</td> <td align="center"><input type="checkbox"/> 3</td> <td>Foreign Nation</td> <td align="center"><input type="checkbox"/> 6</td> <td align="center"><input type="checkbox"/> 6</td> </tr> </table>		PTF	DEF		PTF	DEF	Citizen of This State	<input type="checkbox"/> 1	<input type="checkbox"/> 1	Incorporated or Principal Place of Business in this State	<input type="checkbox"/> 4	<input type="checkbox"/> 4	Citizen of Another State	<input type="checkbox"/> 2	<input type="checkbox"/> 2	Incorporated and Principal Place of Business in Another State	<input type="checkbox"/> 5	<input type="checkbox"/> 5	Citizen or Subject of a Foreign Country	<input type="checkbox"/> 3	<input type="checkbox"/> 3	Foreign Nation	<input type="checkbox"/> 6	<input type="checkbox"/> 6
	PTF	DEF		PTF	DEF																				
Citizen of This State	<input type="checkbox"/> 1	<input type="checkbox"/> 1	Incorporated or Principal Place of Business in this State	<input type="checkbox"/> 4	<input type="checkbox"/> 4																				
Citizen of Another State	<input type="checkbox"/> 2	<input type="checkbox"/> 2	Incorporated and Principal Place of Business in Another State	<input type="checkbox"/> 5	<input type="checkbox"/> 5																				
Citizen or Subject of a Foreign Country	<input type="checkbox"/> 3	<input type="checkbox"/> 3	Foreign Nation	<input type="checkbox"/> 6	<input type="checkbox"/> 6																				

IV. ORIGIN (Place an X in one box only.)

☒ 1 Original Proceeding
 ☐ 2 Removed from State Court
 ☐ 3 Remanded from Appellate Court
 ☐ 4 Reinstated or Reopened
 ☐ 5 Transferred from another district (specify):
 ☐ 6 Multi-District Litigation
 ☐ 7 Appeal to District Judge from Magistrate Judge

V. REQUESTED IN COMPLAINT: **JURY DEMAND:** ☒ Yes ☐ No (Check 'Yes' only if demanded in complaint.)

CLASS ACTION under F.R.C.P. 23: ☐ Yes ☒ No **MONEY DEMANDED IN COMPLAINT: \$** _____

VI. CAUSE OF ACTION (Cite the U.S. Civil Statute under which you are filing and write a brief statement of cause. Do not cite jurisdictional statutes unless diversity.)

15 USC 1692 et seq; Violations of the Fair Debt Collection Practices Act ("FDCPA")

VII. NATURE OF SUIT (Place an X in one box only.)

OTHER STATUTES <input type="checkbox"/> 400 State Reapportionment <input type="checkbox"/> 410 Antitrust <input type="checkbox"/> 430 Banks and Banking <input type="checkbox"/> 450 Commerce/ICC Rates/etc. <input type="checkbox"/> 460 Deportation <input type="checkbox"/> 470 Racketeer Influenced and Corrupt Organizations <input checked="" type="checkbox"/> 480 Consumer Credit <input type="checkbox"/> 490 Cable/Sat TV <input type="checkbox"/> 810 Selective Service <input type="checkbox"/> 850 Securities/Commodities/Exchange <input type="checkbox"/> 875 Customer Challenge 12 USC 3410 <input type="checkbox"/> 890 Other Statutory Actions <input type="checkbox"/> 891 Agricultural Act <input type="checkbox"/> 892 Economic Stabilization Act <input type="checkbox"/> 893 Environmental Matters <input type="checkbox"/> 894 Energy Allocation Act <input type="checkbox"/> 895 Freedom of Info. Act <input type="checkbox"/> 900 Appeal of Fee Determination Under Equal Access to Justice <input type="checkbox"/> 950 Constitutionality of State Statutes	CONTRACT <input type="checkbox"/> 110 Insurance <input type="checkbox"/> 120 Marine <input type="checkbox"/> 130 Miller Act <input type="checkbox"/> 140 Negotiable Instrument <input type="checkbox"/> 150 Recovery of Overpayment & Enforcement of Judgment <input type="checkbox"/> 151 Medicare Act <input type="checkbox"/> 152 Recovery of Defaulted Student Loan (Excl. Veterans) <input type="checkbox"/> 153 Recovery of Overpayment of Veteran's Benefits <input type="checkbox"/> 160 Stockholders' Suits <input type="checkbox"/> 190 Other Contract <input type="checkbox"/> 195 Contract Product Liability <input type="checkbox"/> 196 Franchise REAL PROPERTY <input type="checkbox"/> 210 Land Condemnation <input type="checkbox"/> 220 Foreclosure <input type="checkbox"/> 230 Rent Lease & Ejectment <input type="checkbox"/> 240 Torts to Land <input type="checkbox"/> 245 Tort Product Liability <input type="checkbox"/> 290 All Other Real Property	TORTS PERSONAL INJURY <input type="checkbox"/> 310 Airplane <input type="checkbox"/> 315 Airplane Product Liability <input type="checkbox"/> 320 Assault, Libel & Slander <input type="checkbox"/> 330 Fed. Employers' Liability <input type="checkbox"/> 340 Marine <input type="checkbox"/> 345 Marine Product Liability <input type="checkbox"/> 350 Motor Vehicle <input type="checkbox"/> 355 Motor Vehicle Product Liability <input type="checkbox"/> 360 Other Personal Injury <input type="checkbox"/> 362 Personal Injury-Med Malpractice <input type="checkbox"/> 365 Personal Injury-Product Liability <input type="checkbox"/> 368 Asbestos Personal Injury Product Liability IMMIGRATION <input type="checkbox"/> 462 Naturalization Application <input type="checkbox"/> 463 Habeas Corpus-Alien Detainee <input type="checkbox"/> 465 Other Immigration Actions	TORTS PERSONAL PROPERTY <input type="checkbox"/> 370 Other Fraud <input type="checkbox"/> 371 Truth in Lending <input type="checkbox"/> 380 Other Personal Property Damage <input type="checkbox"/> 385 Property Damage Product Liability BANKRUPTCY <input type="checkbox"/> 422 Appeal 28 USC 158 <input type="checkbox"/> 423 Withdrawal 28 USC 157 CIVIL RIGHTS <input type="checkbox"/> 441 Voting <input type="checkbox"/> 442 Employment <input type="checkbox"/> 443 Housing/Accommodations <input type="checkbox"/> 444 Welfare <input type="checkbox"/> 445 American with Disabilities - Employment <input type="checkbox"/> 446 American with Disabilities - Other <input type="checkbox"/> 440 Other Civil Rights	PRISONER PETITIONS <input type="checkbox"/> 510 Motions to Vacate Sentence Habeas Corpus <input type="checkbox"/> 530 General <input type="checkbox"/> 535 Death Penalty <input type="checkbox"/> 540 Mandamus/Other <input type="checkbox"/> 550 Civil Rights <input type="checkbox"/> 555 Prison Condition FORFEITURE / PENALTY <input type="checkbox"/> 610 Agriculture <input type="checkbox"/> 620 Other Food & Drug <input type="checkbox"/> 625 Drug Related Seizure of Property 21 USC 881 <input type="checkbox"/> 630 Liquor Laws <input type="checkbox"/> 640 R.R. & Truck <input type="checkbox"/> 650 Airline Regs <input type="checkbox"/> 660 Occupational Safety/Health <input type="checkbox"/> 690 Other	LABOR <input type="checkbox"/> 710 Fair Labor Standards Act <input type="checkbox"/> 720 Labor/Mgmt. Relations <input type="checkbox"/> 730 Labor/Mgmt. Reporting & Disclosure Act <input type="checkbox"/> 740 Railway Labor Act <input type="checkbox"/> 790 Other Labor Litigation <input type="checkbox"/> 791 Empl. Ret. Inc. Security Act PROPERTY RIGHTS <input type="checkbox"/> 820 Copyrights <input type="checkbox"/> 830 Patent <input type="checkbox"/> 840 Trademark SOCIAL SECURITY <input type="checkbox"/> 861 HIA (1395ff) <input type="checkbox"/> 862 Black Lung (923) <input type="checkbox"/> 863 DIWC/DIWW (405(g)) <input type="checkbox"/> 864 SSID Title XVI <input type="checkbox"/> 865 RSI (405(g)) FEDERAL TAX SUITS <input type="checkbox"/> 870 Taxes (U.S. Plaintiff or Defendant) <input type="checkbox"/> 871 IRS-Third Party 26 USC 7609
--	--	--	---	---	---

CV12-04791

FOR OFFICE USE ONLY: Case Number: _____

AFTER COMPLETING THE FRONT SIDE OF FORM CV-71, COMPLETE THE INFORMATION REQUESTED BELOW.

UNITED STATES DISTRICT COURT, CENTRAL DISTRICT OF CALIFORNIA
CIVIL COVER SHEET

VIII(a). IDENTICAL CASES: Has this action been previously filed in this court and dismissed, remanded or closed? ☒ No ☐ Yes
 If yes, list case number(s): _____

VIII(b). RELATED CASES: Have any cases been previously filed in this court that are related to the present case? ☒ No ☐ Yes
 If yes, list case number(s): _____

Civil cases are deemed related if a previously filed case and the present case:

- (Check all boxes that apply) ☐ A. Arise from the same or closely related transactions, happenings, or events; or
☐ B. Call for determination of the same or substantially related or similar questions of law and fact; or
☐ C. For other reasons would entail substantial duplication of labor if heard by different judges; or
☐ D. Involve the same patent, trademark or copyright, and one of the factors identified above in a, b or c also is present.

IX. VENUE: (When completing the following information, use an additional sheet if necessary.)

(a) List the County in this District; California County outside of this District; State if other than California; or Foreign Country, in which **EACH** named plaintiff resides.
☐ Check here if the government, its agencies or employees is a named plaintiff. If this box is checked, go to item (b).

County in this District:*	California County outside of this District; State, if other than California; or Foreign Country
Los Angeles	

(b) List the County in this District; California County outside of this District; State if other than California; or Foreign Country, in which **EACH** named defendant resides.
☐ Check here if the government, its agencies or employees is a named defendant. If this box is checked, go to item (c).

County in this District:*	California County outside of this District; State, if other than California; or Foreign Country
	New York

(c) List the County in this District; California County outside of this District; State if other than California; or Foreign Country, in which **EACH** claim arose.
Note: In land condemnation cases, use the location of the tract of land involved.

County in this District:*	California County outside of this District; State, if other than California; or Foreign Country
Los Angeles	

* Los Angeles, Orange, San Bernardino, Riverside, Ventura, Santa Barbara, or San Luis Obispo Counties

Note: In land condemnation cases, use the location of the tract of land involved

X. SIGNATURE OF ATTORNEY (OR PRO PER): _____

Date

5/31/12

Notice to Counsel/Parties: The CV-71 (JS-44) Civil Cover Sheet and the information contained herein neither replace nor supplement the filing and service of pleadings or other papers as required by law. This form, approved by the Judicial Conference of the United States in September 1974, is required pursuant to Local Rule 3-1 is not filed but is used by the Clerk of the Court for the purpose of statistics, venue and initiating the civil docket sheet. (For more detailed instructions, see separate instructions sheet.)

Key to Statistical codes relating to Social Security Cases:

Nature of Suit Code	Abbreviation	Substantive Statement of Cause of Action
861	HIA	All claims for health insurance benefits (Medicare) under Title 18, Part A, of the Social Security Act, as amended. Also, include claims by hospitals, skilled nursing facilities, etc., for certification as providers of services under the program. (42 U.S.C. 1935FF(b))
862	BL	All claims for "Black Lung" benefits under Title 4, Part B, of the Federal Coal Mine Health and Safety Act of 1969. (30 U.S.C. 923)
863	DIWC	All claims filed by insured workers for disability insurance benefits under Title 2 of the Social Security Act, as amended; plus all claims filed for child's insurance benefits based on disability. (42 U.S.C. 405(g))
863	DIWW	All claims filed for widows or widowers insurance benefits based on disability under Title 2 of the Social Security Act, as amended. (42 U.S.C. 405(g))
864	SSID	All claims for supplemental security income payments based upon disability filed under Title 16 of the Social Security Act, as amended.
865	RSI	All claims for retirement (old age) and survivors benefits under Title 2 of the Social Security Act, as amended. (42 U.S.C. (g))